

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

DAVY CHRISTOPHER WYATT,)
)
Petitioner,)
)
v.) 1:11CV161
) 1:07CR322-1
UNITED STATES OF AMERICA,)
)
Respondent.)

ORDER

On August 6, 2012, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. Petitioner filed objections [Doc. #50] to the Recommendation within the time limit prescribed by Section 636.

The Court has reviewed Petitioner's objections *de novo* and finds they do not change the substance of the United States Magistrate Judge's Recommendation [Doc. #48] which is affirmed and adopted.

IT IS THEREFORE ORDERED that Petitioner's Motion to Vacate, Set Aside or Correct Sentence [Doc. #29] is DENIED, that this action is DISMISSED, and that, finding no substantial issue for appeal concerning the denial of a

constitutional right affecting the conviction, nor a debatable procedural ruling,
a certificate of appealability is DENIED.

This the 28th day of March, 2014.

/s/ N. Carlton Tilley, Jr.
Senior United States District Judge